

Applicants: Marin Janusz et al.
Serial No. 09/269,845
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Colostrinin in combination with a physiologically acceptable carrier.

REMARKS

In the prior Office Action (Paper No. 13), the Examiner indicated that the application was in condition for allowance except for the following formal matters:

"The claims have been numbered and renumbered by the USPTO and applicants, such that it is unclear which claims should be pending and which should have been canceled. Please send a correct copy of the claims which are in condition for allowance."

Prosecution on the merits was thus closed in this case in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Applicants have filed a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 for two reasons: (1) applicants desire to have the additional prior art cited during prosecution of corresponding applications in foreign jurisdictions considered in this case; and (2) applicants desire to amend the claims in the present application as noted in this Amendment to more clearly define what applicants regard as the invention.

Information Disclosure Statement

Please consider the references identified in the accompanying Information Disclosure Statement, and in particular, M. Janusz and J. Lisowski, *Proline-rich*

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polypeptide (PRP) - an immunomodulatory peptide from ovine colostrum, Arch.

Immunol. Ther. 41, 275-279, 1993, which discloses that Colostrinin can be used, in injection form, to treat immune disorders in mice. Applicants note that this prior art reference fails to disclose, teach, or suggest the use of Colostrinin to treat immune disorders in humans, and also fails to disclose, teach, or suggest the use of Colostrinin to treat disorders of the central nervous system, especially Alzheimer's Disease.

Amendment/Reply

By this Amendment, claim 12 has been canceled, claims 31, 35 and 41 have been amended, and claim 56 has been added. A version of claims 31, 35 and 41 showing the changes made is attached hereto as Attachment A.

In response to the formal matter raised by the Examiner in the prior Office Action, a correct copy of the claims which applicants believe are in condition for allowance is attached hereto as Attachment B.

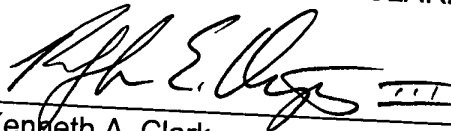
Conclusion

In light of the foregoing, it is submitted that claims 3-7, 9-11, 13-17, 19-22, 24, 26-36, 38, 40, 41, 44, 46, 47 and 51-56 are in condition for allowance, and a notice to that effect is therefore earnestly solicited.

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Respectfully submitted,

RANKIN, HILL, PORTER & CLARK LLP

A handwritten signature in black ink, appearing to read "Randolph E. Digges, III", written over a horizontal line.

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Attachment A

ATTACHMENT A
(Version With Markings Showing Changes Made)

31. (AMENDED) A pharmaceutical composition for humans comprising a preselected amount of Colostrinin in combination with a physiologically acceptable carrier.

35. (TWICE AMENDED) A composition according to claim [21] 31, in the form of a tablet, lozenge, gel, patch or plaster.

41. (AMENDED) A dietary supplement comprising an orally ingestible combination of Colostrinin in an isolated form in combination with a physiologically acceptable carrier.